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20 (Additional attorneys listed on following page)

21  
22 UNITED STATES DISTRICT COURT  
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24 NORTHERN DISTRICT OF CALIFORNIA  
25  
26 SAN FRANCISCO DIVISION

27 SONYA RENEE *et al.*,  
28 Plaintiffs,  
v.  
MARGARET SPELLINGS, in her official capacity;  
UNITED STATES DEPARTMENT OF EDUCATION,  
Defendants.

Case No. 3:07-cv-04299-PJH

**SECOND PETITION OF MARIEL  
RUBIO FOR ORDER APPOINTING  
HER GUARDIAN AD LITEM**

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1 Petitioner Mariel Rubio respectfully represents:

2 1. Petitioner is the mother of Stephanie Rubio, a minor. The minor is 14 years of age.

3 2. The minor has claims for relief against the above-named defendants on which a suit  
4 should be brought in this Court. The claims involve defendants' issuance of an unlawful regulation  
5 defining a "highly qualified" teacher as one who "is participating" in an alternative route to  
6 certification program, in violation of the Administrative Procedure Act (5 U.S.C. § 706).

7 3. The minor has no guardian of his/her person or estate.

8 4. Petitioner is willing to serve as the guardian ad litem for the minor, is fully competent  
9 to understand and to protect the rights of the minor and has no interest adverse to that of the minor.

10 WHEREFORE, petitioner prays that she be appointed guardian ad litem of Stephanie Rubio  
11 to prosecute this action for declaratory and injunctive relief, and for such other and further relief as the  
12 court may deem proper.

1 Dated: November 27, 2007  
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Mariel Rubio  
MARIEL RUBIO